IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO. 123 OF 2005
IN
SUMMARY SUIT NO. 3486 OF 2004

M/s. Remik Marketing Services ..Plaintiffs.

Versus

Riverside Industries Ltd., ..Defendants.

Ms. Kashmira Bharucha i/by Anupama N. Binage for the Plaintiffs.
Mr. Shaikh i/by J.H. Mishra for the Defendants.

CORAM : S. J. VAZIFDAR, J.
DATED : 16TH NOVEMBER,2005.

P.C.:

1. The suit is filed to recover the price of the goods sold and delivered by the plaintiff to the defendants on certain terms and conditions and pursuant to the invoice dated 22nd July, 2003.

2. That the goods were sold and delivered to the defendants and that the defendants retained the same is admitted. A vague statement is made in paragraph -6 of the affidavit in reply that the goods were not of the specified quality. This allegation, however, is not made in respect of the goods under the suit invoice. It is a general allegation regarding various transactions between the parties.

3. The defendants also issued a cheque towards payment of the invoice. The same was dishonoured. There is no defence to the suit.

4. The Summons for Judgment is made absolute and the suit is decreed as prayed.

5. Refund as per rules.

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